
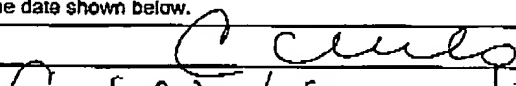


TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/273,948	
	Filing Date	March 22, 1999	
	First Named Inventor	Golestani	
	Art Unit	2662	
	Examiner Name	Anh Vu H Ly	
Total Number of Pages in This Submission	14	Attorney Docket Number	Golestani 2

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Signature			
Printed Name	Eamon J. Wall		
Date	10/17/05	Reg. No.	39,414

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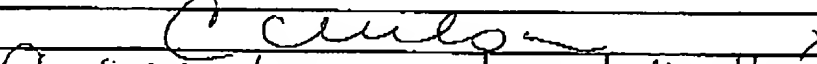
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Firm	Patterson & Sheridan, LLP		
Signature			
Printed Name	Eamon J. Wall		
Date	10/17/05	Reg. No.	39,414

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Typed or printed name	C. C. C. C. C.	Date	10-18-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT
Atty. Dkt. No. LCNT/GOLESTANI2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): S. Jamalodding Golestani

Case: Golestani 2

Serial No.: 09/273,948

Filed: 3/22/99


Examiner: Anh-Vu H Ly

Group Art Unit: 2662

Title: SCALEABLE CONGESTION CONTROL METHOD FOR MULTICAST
COMMUNICATIONS OVER A DATA NETWORK

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10-18-05 Date	 Carol Wilson

RENEWED PETITION UNDER 37 C.F.R. 1.137(b)

Dear Sir or Madam:

Petitioner respectfully requests reconsideration of the Office's August 26, 2005 Decision dismissing Petitioner's Petition under 37 CFR 1.137(b) to revive the above-identified application. In the Decision dismissing Petitioner's Petition under 37 CFR 1.137(b), the Petitions Examiner indicates that Petitioner's Petition under 37 CFR 1.137(b) filed October 6, 2004 fails to provide the required reply, where the reply under 37 CFR 1.113 is limited to an amendment that *prima facie* places the application in condition for allowance or a Notice of Appeal. While Petitioner's Petition under 37 CFR 1.137(b) filed October 6, 2004 did include an amendment by which the Petitioner intended to *prima facie* place the application in condition for allowance, the amendment filed by Petitioner inadvertently incorporated limitations of rejected claim 13 into rejected claims 21 and 22, thereby failing to remove all rejected claims from the application.

Serial No.: 09/273,948

Petitioner is herewith submitting the reply required by 137 C.F.R. 1.137(b)(1) in which Petitioner cancels rejected claims 21 and 22. Since the Petitioner is herewith submitting the reply required by 137 C.F.R. 1.137(b)(1), namely, an amendment *prima facie* placing the application in condition for allowance, Petitioner requests favorable reconsideration of Petitioner's 37 C.F.R. 1.137(b) petition to revive the above-identified abandoned application. The Commissioner is authorized to charge any fees due in connection with Petitioner's Renewed Petition Under 37 C.F.R. 1.137(b) to counsel's Deposit Account No. 20-0782/LCNT/GOLESTANI2.

Dated: 10/12/05

Respectfully submitted,



Eamon J. Wall
Registration No. 39,414
PATTERSON & SHERIDAN, L.L.P.
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Shrewsbury, NJ 07702-4185
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Attorneys for Applicant

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PATENT APPLICATION

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Applicant(s): S. Jamalodding Golestani

Case: Golestani 2


Serial No.: 09/273,948

Filed: 3/22/99

Examiner: Anh-Vu H Ly

Group Art Unit: 2662

Title: SCALEABLE CONGESTION CONTROL METHOD FOR
MULTICAST COMMUNICATIONS OVER A DATA NETWORKRESPONSE UNDER 37 C.F.R. §1.116

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<u>10-18-05</u>	
Date	Carol Wilson

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Commissioner for Patents
P.O. Box 1450
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SIR:

In response to the final Office Action mailed July 11, 2003, (Paper No. 10), please amend the above-identified patent application as follows.

This response is being submitted together with Applicant's Renewed Petition Under 37 C.F.R. 1.137(b).

The Commissioner is authorized to charge any fees due, including extension of time and excess claim fees, to make this response timely and complete to counsel's Deposit Account No. 20-0782/LCNT/121891/GOLESTANI2.

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IN THE CLAIMS

Please amend the claims as follows:

1. (Previously Presented) A data network comprising
a source that transmits data messages to a plurality of receivers, said receivers forming a multicast group, and wherein each of said plurality of receivers comprises
a first apparatus that receives transmissions of data messages from the source to each of said plurality of receivers and accumulates statistics relating to said transmissions of data messages from the source to said receiver,
a second apparatus that computes a congestion control value and sends the value to the source, and wherein the source adjusts its transmission of data packets to the receivers as a function of a selected one or more of a plurality of congestion control values that it receives from respective ones of the receivers,
wherein the receivers forming the multicast group also form a multilevel hierarchical reporting network that forwards a congestion control value to the source, wherein a receiver positioned at each level in said multilevel hierarchical reporting network includes apparatus that computes a new consolidated congestion control value, said new consolidated congestion control value being a function of the congestion control value that said receiver locally generates and a consolidated congestion control value that said receiver receives from receivers positioned at a preceding level in said multilevel hierarchical reporting network, and said receiver then forwarding said new consolidated congestion control value to the source via the next succeeding level in the multilevel hierarchical reporting network.
2. (Canceled)
3. (Previously Presented) The data network of claim 1 wherein the source is positioned at the highest level in the reporting hierarchy.
4. (Original) The data network of claim 1 wherein each of the receivers uses a

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window based scheme to determine a maximum expected sequence number as its respective congestion control value, and wherein the source uses the minimum of the congestion control values that it respectively receives from the receivers as a maximum sequence number of a next packet that the source transmits to the receivers.

5. (Previously Presented) The data network of claim 1 wherein each of the receivers uses a window based scheme to determine, as a function of an updated window size, maximum sequence number of packets contiguously received, total length of received packets that are not contiguous and size of an associated reassembly buffer a maximum expected sequence number as its respective congestion control value, and wherein the source uses the minimum of the congestion control values that it respectively receives from the receivers as a maximum sequence number of a next packet that the source transmits to the receivers.

6. (Original) The data network of claim 4 wherein the second apparatus includes apparatus that determines a transmission window as a function of loss and delay measured by the respective receiver, and generates the respective congestion control value as a function of (a) the determined transmission window and (b) sequence number of the last data packet received successfully in sequence with prior received data packets.

7. (Original) The data network of claim 4 wherein the second apparatus includes apparatus that determines a transmission window as a function of loss and delay measured by the respective receiver and generates its respective congestion control value as (a) a function of the determined transmission window, (b) sequence number of a last data packet received successfully in sequence with prior received data packets and (c) number of data packets received out of sequence.

8. (Original) The data network of claim 4 wherein each receiver includes a buffer for storing received data messages and wherein the second apparatus includes

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apparatus that determines a transmission window as a function of loss and delay measured by the respective receiver and generates its respective congestion control value as (a) a function of the sequence number of a last data packet received successfully in sequence with prior received data packets and minimum of (bi) the transmission window plus the number of data packets received out of sequence, or (b2) the number of memory locations in the reassembly buffer available for the storage of out-of-sequence data packets.

9. (Original) The data network of claim 3 wherein each of the receivers uses a rate based scheme to determine its respective congestion control value, and wherein the source applies the minimum of the of the congestion control values that it respectively receives from the receivers as a rate of transmission of new data packets.

10.(Previously Presented) The data network of 1 wherein the source inserts a time stamp in a data packet that it transmits to the multicast group of receivers and wherein the first apparatus associates a received data packet with a current time stamp and wherein said first apparatus includes apparatus that determines a trip delay from the source to each of said plurality of receivers as a function of the difference of the inserted time stamp and a current time stamp.

11.(Previously Presented) The data network of claim 1 wherein each receiver further includes third apparatus that determines a trip delay to the source via the reporting network as a function of a (a) time stamp that it associates with a message containing a congestion control value that the receiver forwards to a receiver positioned at the next highest level in the reporting hierarchy, and (b) trip delay returned by the receiver positioned at the next highest level, in which the returned trip delay is indicative of the trip delay from the latter receiver to the source.

12.(Previously Presented) The data network of claim 11 wherein each of the receivers forward its respective congestion control value to the source via the IP layer

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multicast network.

13. (Canceled)

14. (Canceled)

15. (Currently Amended) A data receiver, comprising:

first apparatus that receives a data packet from a source of data packets and accumulates particular information relating to the transmission of data packets toward a receiver via a data network; and

second apparatus that generates a transmission control value as a function of the accumulated information and forwards the generated value as a feedback message toward the source, said feedback message adapted to enable the source to control its transmission of data messages as a function of (a) the transmission control value received from the receiver and (b) transmission control values received by the receiver from other such receivers, wherein said data receiver is one of a plurality of receivers that form a multicast group within the data network. ~~The receiver of claim 14~~ wherein the multicast group of receivers form a multilevel hierarchical reporting network that forwards a transmission congestion control value toward the source and wherein a receiver positioned at an intermediate level in the reporting hierarchy includes apparatus that generates a consolidated congestion control value as a function of a combination of the congestion control value that it generates locally and each consolidated congestion control value that it receives from receivers positioned at the preceding level in the hierarchy and then forwards the consolidated congestion control value to the source via the next succeeding level in the reporting network.

16. (Currently Amended) A data receiver, comprising:

first apparatus that receives a data packet from a source of data packets and accumulates particular information relating to the transmission of data packets toward a receiver via a data network; and

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second apparatus that generates a transmission control value as a function of the accumulated information and forwards the generated value as a feedback message toward the source, said feedback message adapted to enable the source to control its transmission of data messages as a function of (a) the transmission control value received from the receiver and (b) transmission control values received by the receiver from other such receivers. The data receiver of claim 13 wherein said data receiver uses a window based scheme to determine a maximum expected sequence number as its respective congestion control value, and wherein the source uses the minimum of the congestion control values that it receives as a maximum sequence number of a next packet that the source transmits to each said receiver.

17.(Original) The receiver of claim 15 wherein the second apparatus includes apparatus that determines a transmission window as a function of loss and delay measured by the respective receiver and generates its respective congestion control value as a function of the determined transmission window and sequence number of the last data packet received successfully in sequence with prior received data packets.

18.(Original) The receiver of claim 15 wherein each of the receivers uses a window based scheme to determine, as a function of an updated widow size, maximum sequence number of packets contiguously received, total length of received packets that are not contiguous and size of an associated reassembly buffer a maximum expected sequence number as its respective congestion control value, and wherein the source uses the minimum of the congestion control values that it respectively receives from the receivers as a maximum sequence number of a next packet that the source transmits to the receivers.

19.(Original) The receiver of claim 15 wherein the second apparatus includes apparatus that determines a transmission window as a function of loss and delay measured by the respective receiver and generates its respective congestion control value as a (a) function of the determined transmission window, sequence number of the

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last data packet received successfully in sequence with prior received data packets and
(b) number of data packets received out of sequence.

20. (Currently Amended) A data receiver comprising
first apparatus that receives a data packet from a source of data packets and
accumulates particular information relating to the transmission of data packets toward a
receiver via a data network; and

second apparatus that generates a transmission control value as a function of
the accumulated information and forwards the generated value as a feedback message
toward the source, said feedback message adapted to enable the source to control its
transmission of data messages as a function of (a) the transmission control value
received from the receiver and (b) transmission control values received by the receiver
from other such receivers. ~~The receiver of claim 13~~ wherein each receiver further

comprises a re-assembly buffer for storing received data packets and wherein the
second apparatus includes apparatus that determines a congestion control value as a
function of function of loss and delay measured by the respective receiver; and

generates its respective congestion control value as a (a) function of the
sequence number of a last data packet received successfully in sequence with prior
received data packets and minimum of (b) a transmission window plus the number of
data messages received out of sequence, and (b2) the number of memory locations in
the re-assembly buffer available for the storage of out-of-sequence data packets.

21. (Canceled)

22. (Canceled)

23. (Currently Amended) A data receiver, comprising:
first apparatus that receives a data packet from a source of data packets and
accumulates particular information relating to the transmission of data packets toward a
receiver via a data network; and

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Page 8

second apparatus that generates a transmission control value as a function of the accumulated information and forwards the generated value as a feedback message toward the source, said feedback message adapted to enable the source to control its transmission of data messages as a function of (a) the transmission control value received from the receiver and (b) transmission control values received by the receiver from other such receivers, wherein said data receiver is one of a plurality of receivers that form a multicast group within the data network. ~~The receiver of claim 14~~ wherein each receiver further includes third apparatus that determines a trip delay to the source via the reporting network as a function of a (a) time stamp that it associates with a message containing a congestion control value that the receiver forwards to a receiver positioned at the next highest level in the reporting hierarchy, and (b) trip delay returned by the receiver positioned at the next highest level, in which the returned trip delay is indicative of the trip delay from the latter receiver to the source.

24. (Canceled)

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REMARKS

This response is intended as a full and complete response to the final Office Action mailed July 11, 2003. In the Office Action, the Examiner notes that claims 1 and 3-24 are pending, of which claims 1 and 3-12 are allowed, claims 13, 14, 21-22 and 24 stand rejected, and claims 15-20 and 23 stand objected to as being dependent upon a rejected base claim.

By this response, Applicants have canceled claims 13, 14, 21, 22, and 24. Applicants have amended claims 15, 16, 20, and 21 to include the limitations of claims 13 and 14. In view of Applicant's amendments, Applicant submits that the remaining claims are in allowable form and the Examiner's rejections should be withdrawn.

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CONCLUSION

Thus, the Applicant submits that none of the claims presently pending are anticipated or obvious under the respective provisions of 35 U.S.C. §102 and §103. Consequently, the Applicant believes that all of these claims are now in allowable form. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Eamon J. Wall, Esq at (732) 383-1438 or Mr. Michael Bentley at (732) 383-1434 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,



Eamon J. Wall, Attorney
Reg. No. 39,414

Dated: 10/17/05

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